

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:02CR432 |
| |) | |
| v. |) | |
| |) | |
| JAMES BENFORD, |) | ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on defendant's 3582(c)(21) retroactive amendment (Filing No. [124](#)), defendant's motion for sentence reduction (Filing No. [126](#)), and the stipulation of the parties (Filing No. [127](#)). Pursuant to the retroactive amendment to the crack cocaine guidelines, the defendant's final offense level is reduced from 38 to 34. His criminal history category remains at IV. The government and defense agree that his sentence should be reduced to two hundred ten (210) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

1) Said motions to reduce sentence are granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to two hundred ten (210) months. Defendant shall receive credit for all time served.

2) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 12th day of January, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court